

REMARKS

Claims 22 and 24 have been amended. Claim 23 has been canceled. Applicant is submitting a substitute specification. The marked-up and clean copy of the substitute specification are one and the same and contain no new matter. Claims 22 and 24 have been rewritten to place them in better form for examination and to further obviate the 35 U.S.C. §§102, 103 and 112 rejections set forth in the Office Action dated January 30, 2004. It is believed that none of these amendments constitute new matter. Withdrawal of these rejections is requested.

The Examiner has objected to the specification and requested a substitute specification be presented. Applicant has attached the substitute specification which incorporates the changes from the preliminary amendment dated July 30, 2001. The marked-up copy and the clean copy of the substitute specification are one and the same and include no new matter. Entry of the substitute specification is respectfully requested.

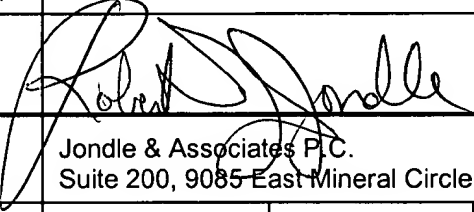
Claims 22-28 remain rejected under 35 U.S.C. §112, second paragraph as being indefinite. Applicant has amended claim 22 to delete previous step (c) and delete the phrase "having growing Type II" in step (e). Applicant has further deleted "plants from embryo structure" in (e) and changed (f) as suggested by the Examiner. Claim 24 has been amended as suggested by the Examiner. Accordingly, withdrawal of this rejection is respectfully requested.

The Examiner has rejected claims 22-28 under 35 U.S.C. §112, first paragraph as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 22 has been amended. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 22-25 and 28 remain rejected under 35 U.S.C. §103. Applicant submits that the cited references, when viewed separately or in combination, do not teach or suggest the claimed invention. Hansen, Bhojwani, Holton or Stomp do not teach co-

cultivation temperatures of about 19°C. Withdrawal of this rejection is respectfully requested.

In view of the above amendments and remarks, it is submitted that the claims satisfy the provisions of 35 U.S.C. §§102, 103 and 112 and are not obvious over the prior art. Reconsideration of this application and early notice of allowance is requested.

RESPECTFULLY SUBMITTED,					
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